

**Comments in Response to Localism Notice of Proposed Rulemaking  
MB Docket No. 04-233**

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so – and must not be adopted.

The FCC must not force radio stations, especially religious broadcasters, to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. The First Amendment prohibits government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present. I choose to listen to Christian radio because I share their views and I choose not to listen to other radio stations because I don't share their views. Everyone should be given the right to choose.

The FCC must not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so – even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion. If those who disagree with the Christian views were allowed to air their views on the Christian radio, then my young children would be listening to negative messages instead of positive and encouraging messages and music to which we choose to listen.

The FCC must not force revelation of specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency – and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

The FCC must not establish a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves would amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings.

Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks – and curtailed service is contrary to the public interest. The radio station I choose to listen to is listener supported and I choose to financially support my radio station so I can continue to listen to its positive and encouraging messages. Since the economy is tight right now, it is hard for these radio stations to raise the same amount of funds as those who sell advertisements to large corporations. I choose to listen to a radio station with a positive message and no commercials not only for my benefit, but to benefit my children as well.

We urge the FCC not to adopt rules, procedures or policies discussed above.

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Signature

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Date

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Address

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Name

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Phone

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Title (if any)

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Organization (if any)